

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

In the Matter of Trademark
Application Serial No. 78/229,875
Mark: MESSAGE IN A BOTTLE

GOLD SHELLS, INC.,
a California corporation,
Opposer,

v.

KEITH CANGIARELLA,
Applicant.

Opposition No. 91162780 and
Counterclaim for Cancellation

In the Matter of Trademark
Registration No. 2,243,269
Mark: MESSAGE IN A BOTTLE

KEITH CANGIARELLA,
Petitioner,

v.

ROGER ROJAS,
Respondent.

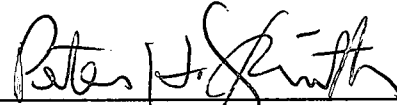
NOTICE OF UNAVAILABILITY

TO THE TRADEMARK TRIAL & APPEAL BOARD AND TO APPLICANT
KEITH CANGIARELLA, IN PRO PER:

NOTICE IS HEREBY GIVEN that commencing Monday, February 5, 2007,
and continuing through Wednesday, March 7, 2007, Peter H. Smith, Attorney at
Law, will be unavailable for any purpose whatsoever, including but not limited to

receiving notices of any kind, responding to ex parte applications, appearing in court, or attending depositions.

Dated: December 13, 2006.



PETER H. SMITH

Attorney for Opposer Gold Shells, Inc.,
and Counterclaim Respondent
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Facsimile: (209) 579-9940

Certificate of Service

I hereby certify that a copy of the foregoing NOTICE OF UNAVAILABILITY was mailed by first-class mail, postage prepaid, to Mr. Keith Cangiarella, Applicant in Pro Per, DreamWeaver Studios, 331 N. Harrington Drive, Fullerton, CA 92831, on December 13, 2006.

Dated: December 13, 2006.



LUGENE M. BORBA

CERTIFICATE OF FIRST CLASS MAILING UNDER 37 CFR §2.197

Mark: MESSAGE IN A BOTTLE
Opposition No. 91162780
Name of parties filing paper: Gold Shells, Inc.
Type of paper being filed: Notice of Unavailability

I hereby certify that the above-identified Notice of Unavailability, which is attached, is being deposited on December 13, 2006, with the United States Postal Service by first-class mail, postage prepaid under 37 CFR §2.197 in an envelope addressed to: Trademark Trial & Appeal Board, U.S. Patent & Trademark Office, P. O. Box 1451, Alexandria, VA 22313-1451.



LUGENE M. BORBA

Date: December 13, 2006.